

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:06CV310-H**

MEINEKE CAR CARE CENTERS, INC.,)

Plaintiff,
v.

CLIETT,
Defendant,

ORDER SETTING HEARING

THIS MATTER is before the Court on the Plaintiff's "Motion for Preliminary Injunction" (document #2) and "Memorandum ... in Support ..." (document #4), both filed July 28, 2006; and the Defendant's "Memorandum ... in Opposition" (document #15) filed September 22, 2006. On October 6, 2006, the Plaintiff filed its "Reply ..." (document #18).

The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and the Plaintiff's Motion is now ripe for an evidentiary hearing.

NOW, THEREFORE, IT IS ORDERED:

1. The Plaintiff's "Motion for Preliminary Injunction" (document #2) is set for an evidentiary hearing on Tuesday, November 21, 2006, at 9:30 a.m. in Courtroom #1, United States Courthouse, 401 West Trade Street, Charlotte, North Carolina.

2. The parties and their counsel are encouraged to continue to discuss the issues raised in the Plaintiff's Motion for Preliminary Injunction, and shall promptly inform the Court should those issues be resolved prior to the scheduled hearing.

3. The Clerk is directed to send copies of this Order Setting Hearing to counsel for the parties.

SO ORDERED.

Signed: October 10, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

